

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AXOS BANK f/k/a BOFI FEDERAL BANK,

Plaintiff,

- against -

RAYMOND MURPHY

Defendant.

Index No. 946-23

Case No. 7:23-cv-669

NOTICE OF PENDENCY

RECEIVED

Block: 6160

Lots: 94, 95

FEB 14 2023

TIMOTHY C. IDONI  
COUNTY CLERK  
COUNTY OF WESTCHESTER

**NOTICE IS HEREBY GIVEN** that an action has been commenced and is pending in the United States District Court for the Southern District of New York upon the Complaint of Plaintiff, Axos Bank f/k/a BOFI Federal Bank ("Axos"), against the above-named defendant for the foreclosure of a mortgage. The mortgaged premises affected by said foreclosure action is situate in Block 6160, Lots 94 and 95, and is described, on Schedule "A" attached hereto and made a part hereof, commonly known as 229 Kimball Terrace, Yonkers, New York 10704-3024.

The Clerk of the County of Westchester is directed to index this notice against the referenced Block and Lots or against the Defendant.

Dated: New York, New York  
February 2, 2023

SAIBER, LLC  
*Attorneys for Plaintiff*  
By: \_\_\_\_\_  
JOHN M. AUGUST  
270 Madison Avenue, Suite 1400  
New York, New York 10016  
(973) 622-3333

TO: Raymond Murphy  
229 Kimball Terrace  
Yonkers, New York 10704



## FORECLOSURE CERTIFICATE

### SCHEDULE A

*(Description)*

#### TITLE NUMBER: SWE882720

ALL that certain plot, piece or parcel of land, situate, lying and being in the City of Yonkers, County of Westchester and State of New York being Lots 56 and 57 in Block 3 as shown on a map entitled "Map of Property of Yonkers Terrace, Inc.", said map filed in the Westchester County Clerk's Office on 1 March 1929 as map number 3400 and being bounded and described as follows:

BEGINNING at a point on the Northeasterly side of Kimball Terrace, said point being the Westerly most corner of Filed Map Lot 55, the lands reputedly of Kostner;

THENCE from said point or place of beginning and along the Northeasterly side of said Kimball Terrace, North 58 degrees 55 minutes 15 seconds West a distance of 40.00 feet;

THENCE along Filed Map Lot 58, the lands reputedly of Yonkers Racing Corporation, North 31 degrees 04 minutes 45 seconds East a distance of 72.89 feet;

THENCE the following two (2) courses and distances along the lands reputedly of said Yonkers Racing Corporation, 1) South 73 degrees 34 minutes 31 seconds East a distance of 20.67 feet; 2) South 70 degrees 53 minutes 25 seconds East a distance of 20.44 feet;

THENCE along said Filed Map Lot 55, the lands reputedly of Kostner, South 31 degrees 04 minutes 45 seconds West a distance of 82.36 feet to the point or place of BEGINNING, as surveyed by Howard W. Weeden, P.L.S., P.C., Walden, New York, on 4 November 2014 and containing 0.072 acres of land, more or less.